

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

1/24/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR NO. 03-00570
CASE NAME: USA vs. RICHARD A. THOUROT
ATTYS FOR PLA: Gabriel Colwell
ATTYS FOR DEFT: Matthew C. Winter
INTERPRETER:

JUDGE:	Leslie E. Kobayashi	REPORTER:	FTR-Courtroom 7
DATE:	1/24/2006	TIME:	10:05-10:25

COURT ACTION: EP: Sentencing to Count 1 of the Information - Defendant present in custody.

Presentence report adopted. Allocution by Defendant waived. Sentencing recommendations heard.

SENTENCE:

Imprisonment: 3 months
Fine: None
Restitution: None
Special Assessment: \$25.00

Supervised Release: 1 year

Conditions of Supervised Release:

- 1) That the defendant shall abide by the standard conditions of supervision.
- 2) That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- 3) That the defendant not possess illegal controlled substances (mandatory condition)

- 4) That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
- 5) That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- 6) That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
- 7) That the defendant provide the Probation Office access to any requested financial information.
- 8) That the defendant serve 3 months community confinement in a community corrections center such as Mahoney Hale as arranged by the Probation Office. While serving the term of community confinement, the defendant may obtain employment and/or enroll in an educational program as approved and directed by the Probation Office.
- 9) That the defendant participate in a mental health program at the discretion and direction of the Probation Office.
- 10) That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- 11) That the defendant is prohibited from the possession and use of alcohol.

Defendant advised of his right to appeal the judgment. Count 2 Dismissed.

Defendant remanded to the custody of the US Marshal.

Submitted by: Warren N. Nakamura, Courtroom Manager